

**CALL TO ORDER**

**ROLL CALL**

Present: Ronald Ledgett, Member; Dutch Dunkelberger, Member; Mark Alessa, Member; Karen Kalmar, Vice Chair; and Ann Grinnell, Chair

Absent: Drew Fitch, Member; Russell White, Member

Staff: Jamie Steffen, Planner; Adam Causey, Director of Planning and Development; Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator

**PLEDGE OF ALLEGIANCE**

**ITEM #1 – PUBLIC HEARING - Town Zoning Map Amendment**

This zoning map amendment is the second step to a two-part process replacing the Business Park (B-PK) zoning district. The first step proposes a text amendment changing the B-PK zone to the Neighborhood Mixed-Use (MU-N) zone and replace the zoning requirements. This step is currently under consideration by Town Council after going through a public hearing process with the Planning Board on June 14, 2018. This second step proposes a zoning map amendment which will expand the proposed boundary of the new Neighborhood Mixed-Use (MU-N) zone currently under consideration by Town Council.

Public Hearing Vote to Recommend. Take public comment. Review and discuss proposed expansion of the Neighborhood Mixed-Use (MU-N) Zone. Vote whether to recommend to Town Council.

Chair Grinnell announced that the special meeting of the Board was strictly have a public hearing on a zoning map change to expand proposed Neighborhood Mixed Use Zone (MU-N). She noted that text amendment changing the B-PK zone to the MU-N Zone was approved by the Planning Board at their July 14, 2018 meeting.

Chair Grinnell opened the public hearing.

Barry Fitzpatrick, Rodgers Rd, stated that he is a lifelong resident of Kittery and had a couple of questions regarding the proposal.

Who is the actual property owner of the Business Park (B-PK) zoning district? Will the ownership change when and if it becomes a Neighborhood Mixed Used zone? Does the zone have town supplied amenities such as water, sewer, and roads? Is the newly proposed

building height increase solely for the Neighborhood Mixed Use zone”? He stated he was concerned about maintaining Kittery’s small-town character and attractiveness.

Chair Grinnell noted that the Board would continue to take public comment and then answer Mr. Fitzpatrick’s questions at the end.

Vern Gardner, 2 Tucker Cove, He stated that he was opposed to the expansion of Business Park (B-PK) zoning district. He discussed that the business park was governed by a TIF District to cover four (4) parcels oriented toward Dennett Rd. He further discussed that the proposed expansion would gather an additional twelve (12) more parcels with collected property tax revenue used to offset the sewer expansion project. He explained that the sewer expansion project has cost the Kittery residents twelve (12) million dollars in taxes and fees. He stated that if this was true the proposal is just a legislative backdoor to funding a boondoggle. He discussed looking instead at the north side of Route 236 for expansion. He noted that the standards for the Business Park (B-PK) zoning district would be changed and the prospect of a seventy 70-foot high building would be well beyond our lifespan and would add to our tax burden for new fire department equipment and training. Lastly, he discussed the intent of the business park zone was to act as a buffer between the commercial district of Route 236 and the residential district of Dennett Road and the absence of that buffer would create conflicts.

George Dow, 1 Bartlett Rd, Chair of the Economic Development Committee (EDC). He discussed the proposed zoning for the Neighborhood Mixed Use zone. He stated with the adjustments the EDC would like to offer an endorsement of the new zoning. He further stated the EDC is recommending the inclusion of the properties along Route 236 into the new zone but not to include the properties that abut Martin Road. The EDC recommended adjustments to the zoning to provide greater buffers from the residential properties along Martin Road. Mr. Dow discussed the EDC supports the height limitation but with adjustments. He explained that they would like to see a 55 foot height limitation to accommodate four (4) and roof top equipment. He discussed parking underneath the building and construction costs relative to available developable land. He stated the EDC hoped that community concerns about building height would not scuttle positive aspects of the proposed zoning. He noted that he would make the information available to the Board and that it had been passed on to Town Manager Amaral.

Judy Spiller, 3 Rosellen Dr, stated her concerns with consistency of the Comprehensive Plan and keeping the small-town character of Kittery. She also stated that she against raising the building height limit to seventy (70) feet. She noted the height of a nearby storage building and to consider a building height that was two stories higher was a concern to her.

Kathy Hardy, Armour Drive, stated her concern about a 70 foot height increase and the expense required for new firefighting apparatus. She had questions about sustaining the Town's infrastructure along with fire and police service for the area. She asked about proposed traffic calming measures for Dennett Road. She discussed affordable housing in relation to the project

Susan Emery, 5 School Lane, discussed Kittery changing to become more affordable. She discussed the tax and services impacts on the Town of the different land use types. She asked about the purpose of the zone and discussed her concerns about the proposed uses and the burden on Town services. She stated her concern about placing seventy (70) high buildings next to residential.

Debbie Driscoll, Pepperrell Terrace stated that she is opposed to the seventy (70) foot height allowance and echoed what others stated.

Jen Thayer, Martin Rd discussed her concern that her neighbors don't know the specifics of the proposal. She discussed her concern about the deterioration of Parson's Ponds and algae growth. She was also concerned about the impact of development on Legion Pond. She also discussed her concerns with the filling in wetlands on the property.

Ken Linscott, Dennett Rd discussed traffic and speeding concerns along Dennett Rd. He discussed his concerns about sight lines for traffic coming out onto Dennett Road.

David Gerison stated that he owns the majority of the property involved with business park zone. He stated he is in favor of the entire zone going Neighborhood Mixed-Use for a variety of reasons. He further stated he is working on a thoughtfully designed mixed use project that would include workforce housing, market rate housing, retail, light industrial and possibly a hotel. He noted that he lives and works in Kittery and pointed to his office the zoning map. He further discussed potential development plans for a mixed use project and stated his goal is to create a development that all could be proud in Kittery. He referred to the seventy (70) foot building height and concerns with that. He stated his intent would be to not do anything higher than fifty (50) feet. He explained that it would be a lifestyle type development with recreation, sidewalks, dining establishments, etc.

Jen Thayer spoke further about her concerns about filling wetlands for development.

Adam Causey, Director of Planning and Development, responded by stating that the hearing wasn't for a specific development proposal but was for a zoning boundary line expansion. He

discussed how happy he was to hear all the input the Board received and remarked that is what planning is all about. He further stated that he understood the ultimate end goal was to protect environment and create a quality development but he felt it was premature to talk now about the filling of wetlands. He discussed notification for the meeting and stated that the department went over and above what is required. He noted that the Town noticed property owners 500 feet from the proposed zoning boundary expansion where normally it would be 150 feet. He stressed that the goal was to make property owners aware of the proposal and to come to the meeting and have their voices heard.

He noted the time constraints of the meeting and discussed whether it was on the agenda for the next meeting. He discussed compiling the list of questions from the public and continuing the hearing to get further input and allow staff to answer some of the questions raised. He discussed the next steps in the process and noted that the text amendment still needed to go through the Town Council adoption process and that there would be further opportunity for public input.

The Board discussed the continuing the public hearing and consideration of the proposed zoning to their regularly scheduled meeting on August 23<sup>rd</sup>. Chair Grinnell noted that the Board could amend their agenda to that meeting to add this item.

**Vice Chair Kalmar moved to continue the Public Hearing on the proposed zoning boundary expansion and consideration of the recommendation for the proposed zoning map amendment.**

**Seconded by Mr. Ledgett**

**Motion carried 5-0-0**

**Adjournment**

**Moved by Mr. Dunkelberger, seconded by Mr. Ledgett.**

**Motion carried 5-0-0**

Board meeting of Aug 21, 2018 adjourned at 6:19 p.m.

Submitted by Jordan Williams, Minute Recorder, on September 11<sup>th</sup>, 2018.

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are

not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website at <http://www.townhallstreams.com/locations/kittery-maine>.